

Groundwater Management Plan Committee

May 10, 2018

12pm – 1:30pm at Festival Hall Rm 1

Committee Members in attendance:

Joe Melling	Brent Hunter	Paul Bittmenn	Spencer Jones	
Paul Cozzens	Paul Nelson	Rob Dotson	Paul Monroe	Reed Erickson

Committee Members not in attendance:

Ramon Prestwich

Others in attendance:

Shelby Ericksen Jessica Staheli

Meeting called to order at 12:14pm (By Joe Melling)

Review Minutes:

Paul Bittmenn motioned to approve the minutes as they are written. Second by Brent Hunter. Unanimous vote (12:15pm)

Review the Groundwater Management Plan Draft:

Monroe said that the Plan draft is online on Google Docs. He said that they wanted input on how to draft item E (Water Use Calculations, Modifications to Policies, and Monitoring) of the plan. He thought the Committee should keep duty the same, but wondered if they should propose any changes about monitoring water.

Jones said they've talked about flood irrigating, wheel lines, and pivots. They could have 5-7 years where this could change. The State uses Google Earth to enforce the duty. He said that if the equilibrium stays the same, the duty might have to change. Maybe the Committee could allow flexibility in the plan. This is something that could be done on an administrative level as technology changes. He talked about how a lot of people are possibly using water illegally. He said they need to look at the total diversion

of people's water, not the total water usage. One idea would be a provision to the plan that can be managed by a water commissioner.

Jones stated that if the water user can provide the facts that they are not overusing the water right, then they could create their own regulation plan that is approved by the Committee. The overall goal is to cut back the water being used, so we need to ensure that over water withdrawal isn't happening.

The members discussed that metering connections might be a good option. Brent Hunter said that technology has changed so that meters in this situation wouldn't be practical.

Jones said that people would have to voluntarily make the investment to put in the technology to avoid water overusage. Melling thinks that the Committee needs to talk to the Division of Water Rights about where they are in that process. Monroe said that the State Engineer can change duty in different basins. If the duty to acreage is regulated then there is not an expansion on acreage. If the duty is changed to less per acre, then the acreage farmed could be expanded.

Hunter said that there is new technology from pivot companies that collects data from satellites and they can analyze how wet a field is. Then it takes over and runs the pivot automatically, based on soil, etc.

Dotson said that the Committee needs to learn how to monitor the usage which could be the second part of the solution to item E. Melling said the State courts treat all the different types of usage in the same way. An example is the Virgin water system. Jones agreed that State treats everything equally.

Bittmenn said they should focus more on metering and usage rather than duty, so that the community can cut off overuse of the water and help the aquifer.

Melling said the Committee is looking at something that is going to have to be adjusted as technology and capability changes.

Jones previously talked to Kent Jones. Kent had a concern that there is a budget in place for the commissioner and how to manage the increased costs. Dotson said a lot of it is going to have to be volunteer information.

Cozzens expressed his concern about enforcement, and if it was occurring. Dotson said they are trying to get a lot of the information corrected. Once it's mapped then the commissioner can go around and check if there is overusage. Then she gives the enforcement officer the tools to enforce.

Monroe wondered if metering is something the Committee needed to focus on. It was mentioned again that metering would have to be a voluntary thing.

(Paul Bittmenn left at 12:47)

Monroe asked why a farmer would spend money to meter himself. The Committee spoke for several minutes about people trying to qualify for Greenbelt. People think if they don't use their total water right, they could forfeit a portion of it. They think they must overuse water in order to not lose their water right.

Monroe stated that it becomes sticky on both sides. The Committee is trying to promote conservation. If farmers have meters to measure water usage, at what point utilize the full amount of water rights.

Jones suggested that maybe they would have to submit a plan annually to the Water Commissioner. Melling stated that any time you take a water right and expand

the acreage, you are supposed to apply that as a new use, but this hasn't happened. The State Engineer hasn't tracked it. If they had to apply with the State Engineer, he would not approve it. However, he hasn't taken the enforcement to stop what's already happened.

Jones said maybe the Committee could draft the plan so that people won't lose their water, if they don't use it. Hunter said that the State law is you must use the water. Jones said that on the non-use application, you must justify why you're not using the water right.

Erickson stated that the Committee should look at monitoring and use differently. If they change the formula, is the State Engineer going to be able to change it. Erickson thinks that for now we must go with the rules that the State Engineer uses, to change anything.

The Committee briefly talked about the next meeting with the State Engineer.

The Committee talked for several minutes about needing either an incentive for having a meter or a punishment for not having a meter.

Melling said that people can use less water and gain the same yield on their crops. With technology today, it doesn't take as much water for a home as it does for agriculture purposes.

The Committee again discussed incentivizing or penalizing.

Hunter talked about farmers trying to get ahead of the water, because if they are not ahead, they could lose everything. Farmers are dealing with machinery that breaks down. Dotson mentioned that farmers are going to overwater to not lose their crops.

Cozzens said that the Committee needs to come up with a plan to educate the people on not overusing water.

(1:12 Reed Erickson and Paul Cozzens left)

Melling talked for several minutes about water from treatments plants. These treatment plants helped to double the size of a community in California.

Monroe talked about developers who have farming operations. He wondered what type of monetary gain they receive from a water right. Nelson stated that most are gaining Greenbelt. One reason is making money off savings on taxes, not necessarily the crop. The Committee talked for several minutes about having a Greenbelt issue, and about addressing the issue in the plan. Monroe wondered how willing a developer would be to be to stop a water operation in non-developed areas. Jones stated that there would be a cost for them to stop. Nelson again said that there would need to be some incentive for them.

The Committee talked about getting ready for the State Engineer. Melling talked about convincing him of the plan. Hunter said that they need to discover the State Engineer's timetable.

(Brent Hunter left 1:23pm)

Melling said this decision is going to be very hard. The Committee needs to make a good recommendation to the State Engineer. Cedar Valley is one of the few areas that has a large problem of groundwater shrinking. This raises a lot of issues that others haven't had to deal with.

Melling handed out an article about Idaho and their recharge basin. His said the meeting with the State Engineer is the one to focus on. Without direction from the State

Engineer, the Committee does not know where to go with the Groundwater Management Plan.

The conservation bank from the plan draft was brought up. This is essentially where people can check-out water, use it for a few years, and then give it back. Dotson suggested that the conservation pool section should be moved to the other section they discussed.

The Committee again discussed incentivizing vs. penalizing. Nelson said there needs to be an economic return on their investment. Jones suggested a 50-50 match. Dotson stated that for this to work, people need education on the subject. If people can gain time and money, then it might be worth it for them.

Joe Melling closed the meeting. *(Meeting adjourned at 1:35pm)*

Next Meeting Date:

June 19th @ 12pm

Division of Water Rights 646 N Main St. Cedar City

Meeting with the State Engineer